

**COMPLAINT INVESTIGATION SUMMARY**

**COMPLAINT NUMBER:** 1726.01  
**COMPLAINT INVESTIGATOR:** John Hill  
**DATE OF COMPLAINT:** April 2, 2001  
**DATE OF REPORT:** May 1, 2001  
**REQUEST FOR RECONSIDERATION:** no  
**DATE OF CLOSURE:** June 29, 2001

**COMPLAINT ISSUE:**

Whether the Greater Clark County Schools and the Clark County Special Education Cooperative violated:

- 511 IAC 7-27-9(b) with regard to the school's alleged failure to make available to a student with a disability the same nonacademic programs as it does to students without disabilities, specifically, failing to make the before and after school child care program available to a student with a disability.

**FINDINGS OF FACT:**

1. The student is an eight-year-old, second-grader who has been determined eligible for special education and related services due to Autism and a Communication Disorder.
2. The school has an agreement with a local private before/after school child care provider ("Provider") that the Provider will operate a before/after school child care program for students.
3. The school currently provides individualized accommodations when identified to special education students enrolled in the Provider's program.
4. The complainant has not yet made an application for the student to participate in the Provider's program. The school has advised the complainant that she can make application for Provider's program and at that time, any needed accommodations or supports will be identified and provided based on the student's need.

**CONCLUSION:**

Findings of Fact #2, #3, and #4 demonstrate that the school provides accommodations to students with disabilities currently enrolled in the Provider's before/after school program and that when the complainant applies to enroll the student in the Provider's program, the school will identify needed accommodations and supports at that time. The student has not been denied access to nonacademic services. Therefore, no violation of 511 IAC 7-27-9(b) is found.

**The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.**

DATE REPORT COMPLETED: May 01, 2000